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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/494,801	01/31/2000	Arthur L. Gaudette	INTL-0314-US(P7997)	3975

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EXAMINER

DETWILER, BRIAN J

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/494,801	<b>Applicant(s)</b> GAUDETTE, ARTHUR L.	
	<b>Examiner</b> Brian J. Detwiler	<b>Art Unit</b> 2173	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 December 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 8-10,13,15-17,20,27-32,34 and 35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-10,13,15-17,20,27-32,34 and 35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-10, 13, 15-17, 20, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,366,933 (Ball et al) and U.S. Patent No. 6,578,073 (Starnes et al).

Referring to claims 8, 9, 15 and 20, Ball discloses in column 1: lines 50-57 and further illustrates in Figures 11 and 12 an invention for comparing cached and current versions of an Internet web page. Ball's invention inherently operates on processor-based systems with storage media for storing program instructions. Ball first discloses in Figure 12 a navigation bar at the top of a browser interface comprising a plurality of selectable buttons. In column 5: lines 4-40, Ball discloses that his invention is capable of displaying both a current version of an Internet web page and a page that indicates the differences between a cached version and a current version of the Internet web page. In Figure 12, Ball further discloses a button labeled "DIFF" that, upon actuation, causes the differences between the cached and current versions of the Internet web page to be displayed on the screen. Ball, however, fails to disclose a single selectable subtract button image for toggling between the two pages. Starnes, though, discloses in Figure 7 a mode button in a command bar [702] for toggling between two versions of a web page. Accordingly, it

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would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize Starnes' mode button in combination with the invention disclosed by Ball such that a selection of the button toggles between displaying a current version of an Internet web page and a page that shows the differences between a cached version and a current version of the Internet web page. Such a combination would have improved Ball's invention by reducing the number of user steps required to switch between the two versions. Although the mode button as implemented by Starnes does not comprise a subtract button image, the button behaves in a manner that is similar to that of the corresponding button in the claimed invention. At the time the invention was made, it thus would have been obvious to a person of ordinary skill in the art to modify the mode button by changing the label to an image of a minus sign. Applicant has not disclosed that the minus sign image provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with a textual label because the button's behavior would remain the same.

Referring to claim 10, Ball discloses in column 19: lines 1-10, a method for showing the differences between two Internet web pages, wherein only the differences are displayed on the screen. Said method corresponds to the claimed limitation of "blanking the common material".

Referring to claims 13, 16, and 17, Starnes provides more detail concerning the mode button of command bar [702] in column 18: lines 39-59. In lines 50-53, Starnes specifically explains that upon selection of the mode button, the invention requests and receives the alternate version for display. In the hypothetical combination with Ball discussed above, the button would behave in an identical fashion. Upon selection of the toggle button, the interface would request

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and receive the alternate version of the Internet web page. For instance, if the user was viewing the current version of an Internet web page and subsequently selected the toggle button, the interface would request the version showing the differences, difference the cached and current versions, and receive the differences for display at the browser. On the other hand, if the user was viewing the version showing the differences, the interface would request and receive the current version for display at the browser.

Referring to claims 27 and 28, Ball discloses in column 20: lines 32-36 that a user can selectively cache a viewed page by selecting a "Remember" link.

Claims 29-32, 34, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,366,933 (Ball et al), U.S. Patent No. 6,578,073 (Starnes et al), and U.S. Patent No. 6,834,306 (Tsimelzon).

Referring to claim 29, Ball discloses in column 1: lines 50-57 and further illustrates in Figures 11 and 12 an invention for comparing cached and current versions of an Internet web page. Ball first discloses in Figure 12 a navigation bar at the top of a browser interface comprising a plurality of selectable buttons. In column 5: lines 4-40, Ball discloses that his invention is capable of displaying both a current version of an Internet web page and a page that indicates the differences between a cached version and a current version of the Internet web page. In Figure 12, Ball further discloses a button labeled "DIFF" that, upon actuation, causes the differences between the cached and current versions of the Internet web page to be displayed on the screen. Ball, however, fails to disclose a single button for toggling between indicating the differences and displaying the current page. Starnes, though, discloses in Figure 7 a mode button

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in a command bar [702] for toggling between two versions of a web page. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize Starnes' mode button in combination with the invention disclosed by Ball such that a selection of the button toggles between displaying a current version of an Internet web page and a page that shows the differences between a cached version and a current version of the Internet web page. Such a combination would have improved Ball's invention by reducing the number of user steps required to switch between the two versions. Neither Ball nor Starnes discloses automatically displaying an indication of the difference between two versions of a web page upon initial receipt of a current version. Tsimelzon, though, discloses in the abstract a method for notifying a user of changes to a web page. In column 7: lines 47-49, Tsimelzon further discloses a user-selectable option that allows a user to choose whether or not differences are to be indicated when a current version of a page is initially received. When said option is enabled, Tsimelzon's invention highlights any changes that were made since the last time the page was viewed. Tsimelzon thus suggests that users may desire to be informed of changes immediately upon viewing a current web page. Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to automatically display an indication of the difference between a cached and current version upon receipt of the current version as suggested by Tsimelzon in combination with the teachings of Ball and Starnes because doing so would enable a user to immediately locate the changed and potentially more important information.

Referring to claim 30, Ball discloses in column 19: lines 1-10, a method for showing the differences between two Internet web pages, wherein only the differences are displayed on the screen. Said method corresponds to the claimed limitation of "blanking the common material".

Referring to claims 31 and 32, Starnes provides more detail concerning the mode button of command bar [702] in column 18: lines 39-59. In lines 50-53, Starnes specifically explains that upon selection of the mode button, the invention requests and receives the alternate version for display. In the hypothetical combination with Ball discussed above, the button would behave in an identical fashion. Upon selection of the toggle button, the interface would request and receive the alternate version of the Internet web page. For instance, if the user was viewing the current version of an Internet web page and subsequently selected the toggle button, the interface would request the version showing the differences, difference the cached and current versions, and receive the differences for display at the browser. On the other hand, if the user was viewing the version showing the differences, the interface would request and receive the current version for display at the browser. Although the mode button as implemented by Starnes does not comprise a subtract button image, the button behaves in a manner that is similar to that of the corresponding button in the claimed invention. At the time the invention was made, it thus would have been obvious to a person of ordinary skill in the art to modify the mode button by changing the label to an image of a minus sign. Applicant has not disclosed that the minus sign image provides an advantage, is used for a particular purpose, or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with a textual label because the button's behavior would remain the same.

Referring to claim 34, Ball discloses in column 10: lines 51-53 that users can retrieve current versions of an Internet web page by selecting items from a hotlist or bookmark file, both of which are well known in the art.

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Referring to claim 35, Ball discloses in column 20: lines 32-36 that a user can selectively cache a viewed page by selecting a “Remember” link.

### ***Response to Arguments***

Applicant's arguments with respect to claims 8-10, 13, 15-17, 20, 27, and 28 have been fully considered but are not persuasive. Applicant first asserts that the applied art fails to disclose all of the limitations of independent claim 8. More specifically, Applicant asserts that the command bar of Starnes does not behave in the claimed manner because it does not toggle between two different Internet web pages or pages that have different text (bottom of page 2). The examiner respectfully disagrees. The language of claim 8 requires that the claimed toggle button alternate between a current version of an Internet web page and something (not even necessarily another web page) that indicates the differences between the current version and a cached version. While it is true that Ball's `htmldiff` operates on two different web pages to determine the differences, the user only needs to be aware of a current version and the indication of differences. Since Ball clearly teaches the ability to display a current version and alternately a version that indicates the differences, the only limitation remaining is a button on a navigation bar for switching between the two. While Starnes is silent regarding web page differencing, the patent most certainly discloses a button on a navigation bar for switching between a current version and some “other” version, which in this case happens to be an accelerated or compressed version of the current web page. By combining the teachings of Starnes with those of Ball, one is presented with a button on a navigation bar that toggles between Ball's current version and a

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version that indicates the differences between the current version and a cached version. The rejections of independent claim 8 and similar independent claim 15 are thus maintained.

Applicant's arguments with respect to claims 29-32, 34, and 35 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach alternative means for detecting and presenting differences in web page content.

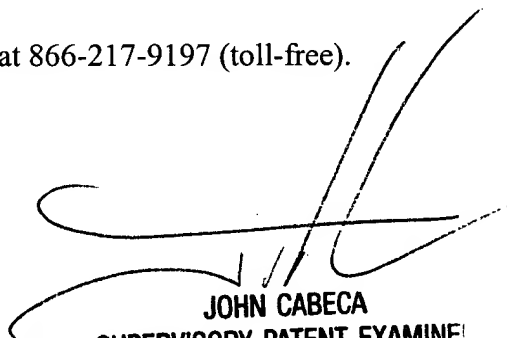
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Detwiler whose telephone number is 571-272-4049. The examiner can normally be reached on Mon-Thu 8-5:30 and alternating Fridays 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca can be reached on 571-272-4048. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bjd



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